

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:06CR3052
)	
Plaintiff,)	MEMORANDUM
vs.)	AND ORDER
)	
DAVID M. GARLEWICZ,)	
)	
Defendant.)	

This matter is before the court on a report and recommendation by Magistrate Judge Piester (filing 22), recommending that Defendant's motion to suppress (filing 13) be granted in part and denied in part. Defendant has filed a statement of objections (filing 24) pursuant to NECrimR 57.3 and 28 U.S.C. § 636(b)(1).

I have conducted a de novo review of the record. I find that inasmuch as the Magistrate Judge has fully, carefully, and correctly found the facts and applied the law, Defendant's objections should be denied and the report and recommendation should be adopted. Accordingly,

IT IS ORDERED that:

1. Magistrate Judge Piester's report and recommendation (filing 22) is adopted;
2. Defendant's objections to the report and recommendation (filing 24) are denied; and
3. Defendant's motion to suppress (filing 13) is granted in part and denied in part, as follows:

- a. The motion is granted with respect to any post-arrest statements that were made by Defendant in response interrogation by Officer McCarty on October 20, 2005.
- b. In all other respects, the motion is denied.

July 6, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge